

**UNITED STATES DISTRICT COURT *for the*
SOUTHERN DISTRICT OF NEW YORK**

**MISCELLANEOUS MOTION SEEKING RULING FOR CLERK
TO ACCEPT QUI TAM/WHISTLEBLOWER FILING.**

Petitioner here ask the court in this 2nd filing, a ruling to allow for the clerk's office to accept "Seal" Qui Tam filing, for observe the requisite 60 days to allow the U.S. Attorney Public Corruption division of the federal government to join or decline taking over said case, per 28 U.S.C §1404(c) - A district court may order any civil action to be tried at any place within the division in which it is pending.

Petitioner[Relator] posit these Facts (limited by Court's need...) in support of this motion.

1. St Mary's Bank is an IRS-tax exempt state chartered credit union, and as the bank puts it; 'nation's oldest credit union' and 'member own'? St Mary's, is a financial institution, though tax exempted, enjoys federal [NCUA] guarantees and insures all deposits [regular shares and share draft accounts -beyond even FDIC provision], HUD, ... programs, in essence the Full Faith Guarantee of the United States.
2. As far back as the 1990's and as recent as July 5, 2016, the bank engaged in mortgage fraud to launder money to its current and past executives, in a scheme to distribute the tax exempt 'profits' to top management (past and present), politician and "court officers" (state & federal) to evade taxes, profits meant for its shareholders.
3. An Ovide Lamontagne, ex chairman of the bank who ran for at least 4 public offices (state and federal) was documented to have received numerous mortgage loans on multi properties from St Mary's and one or two from another financial entity that closed on the same day as the loan from St Mary's with quick 'discharges'.
4. And in other mortgage loans, St Mary's granted him mortgages with fictitious property addresses and deed recording and that said mortgages, discharged (free and clear) within a month of the granting/issuing the supposed 30 years mortgage liability.
5. Said Lamontagne worked for a then governor Steve Merrill along with a Gillian Abramson, Messrs LaPlante and Howard, the last two are federal [NH] district and circuit judges. The current NH magistrate judge, ruled to dismiss my federal case, as I objected for she came from the very firm Lamontagne bought a partnership she left with a severance package, that is federal textbook definition of (pecuniary) conflict of interest.

6. In one of Lamontagne run for governor, J Gillian Abramson and family donated to his campaign at the very time that before Judge Abramson was our case against St Mary's for failing to dispose of an RV collateral, they failed to timely dispose in a 'commercially reasonable' and refused to provide us; manner and accounting for close to a year. This at a time when she could least afford this contribution with a tax lien on their property about to be auctioned. She failed to recuse herself and dismiss the case against St Mary's bank.

7. In light of evidence of conflicts of interest, Abramson had followed federal J Howard to the same law firm, her prior work with magistrate Jonestone, all the judges (state and federal court officers) Refused to Recused themselves, to deny and deprive us basic Due Process; Impartial Justice in a United States tribunal free of biases, personal and pecuniary motives, this, Guaranteed by US Constitution. In essence obstructing justice.

8. In prior federal actions the very IRS went after the same St Mary's Bank tax exempt status for evidence indicated that said state chartered credit union under \$1 billion in assets with series of free passes by its state regulators was no longer practicing what is in its charter; rather exist for the "special interest", tax free. St Mary's bank management have expenses well over \$450,000 to destroy myself and family of the issues related to it's misconduct, compromise the NH-PRadio with sponsorship and the local PBS station in the first I have ever seen in 30+ years of an actually commercial of the bank CEO Covey. St Mary's despite a \$1 billion tax-exempt bank claims to only make \$4 million in profits, yet expensed 12% of its "profit" to s'posedly cover up the ongoing fraud and conspiracy to defraud.

"St. Mary's Bank, the nation's first credit union, held its 109th Annual Shareholder meeting April 11, 2018 at its McGregor Street headquarters in Manchester.

Pres./CEO Ron Covey reviewed the credit union's financial success over the past year, which included

- **\$444 million in total loan production**
- **\$857 million in total deposits**
- **\$989 million in assets**

\$4.2 million in net income, up almost 15 percent from 2016." *Posted [St Mary's] - 4/18/2018*

The actual **Total loans Defendant has for same Q1 2018 is \$843.7million** as reported by
<https://www.depositaccounts.com/banks/st-marys-bank-cu.html> a LendingTree company.

9. And in the recent one, federal judges' LaPlante and Appeals Circuit J Howard recused themselves before Un-recusing themselves when we sought impartial justice on issues of facts and law before the court(s), they flouted and usurped federal laws and rights, and the United States Constitutional guarantees and protection and the very justice system they are sworn to uphold for St Mary's bank. What St Mary's may have on said persons can

only be known in an independent adjudication in a different district/circuit jurisdiction.

10. On Aug 14 2018 I received an Order from the 1st Circuit Court of Appeal issued by Howard, Chief Judge, Thompson and Kayatta, Circuit Judges, and in this order again like before, singly issued of an issue/matter supposedly of a “letter”, I/plaintiff Never sent, Doesn’t know the “letter’s” content or timing, had no case at the 1st Cir. Appl. Ct or NH DCourt yet C.J. Howard of the 1st Cir saw the need to coerce/intimidate us for St Mary’s.

ANALYSIS & STANDARD OF REVIEW - CASE LAW

a) Though 28 U.S.C § 1404(a) states “...district court may transfer any civil action to any other district” the discretion is/must be guided by, “**in the interest of justice**”, for not only was justice obstructed, plaintiff Taal repeatedly deprived and denied his fundamental-basic Constitutional Rights, the U.S. Constitution provides, protects and guarantees without regards, due process, equal protection; impartial justice. The U.S. Justice System’s equal under the law without regard.

b) The Relief sought is simply to allow a seal document to be file in the district court on behalf of the Federal government whose interest goes further than ‘relator’s’ and will have last say of which venue it sees fit with the benefit of the underlying facts, free of noted conflicts of interest(almost all of the NH district court carries) and authority in DOJ-PIS, 18 U.S.C. § 1346 to prosecute wanton violation of federal law, rights and statutes. Parties named have ongoing relations to St Mary’s since the 1990s.

c) **For** This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1331 and 31 U.S.C. § 3732, the latter of which specifically confers jurisdiction on this court for actions brought pursuant to 31 U.S.C. §§ 3729 and 3730. Although the issue is no longer jurisdictional after 2009 amendments of FCA, ...” *United States of America, ex rel Brendan Delaney vs EClinical Works*

d) 28 U.S.C. § 455(a), states “a judge **MUST** recuse himself “**in any proceeding in which his[her] Impartiality might reasonably be questioned.**” “The judge does not have to be subjectively biased or prejudiced, so long as he **appears to be so.**” *Liteky v. United States*, 510 U.S. 540, 553 n.2 (1994), these judges refused to recuse even upon filed motions to. Dictates of **Code of Conduct** for US Judges; CANON 2 & 3 flouted as well. **Impartial Tribunal is Guaranteed by the 5th, 6th, and 14th Amends to the U.S. Constitution.** Nor did “the appearance of impropriety” remotely stop them from the cases

e) Evidence also indicates that the **United States government** was/is defrauded for its laws and protections are usurp for pecuniary personal motives by persons sworn to uphold the

laws: **1st, 5th 6th and 14th Amend clauses of the U S Constitution(federal laws) and 18 USC § 4, § 241, § 371, § 1346 § 1512** wantonly violated, just because they can.

f) The right of individuals to pursue legal redress for claims which have a reasonable basis in law and fact is protected by the First and Fourteenth Amendments. Bill Johnson's Rest. Inc. v. NLRB,461 US 731, 741,103 S.Ct. 2161, ..69, 76 L.Ed.2d 277 (1983)

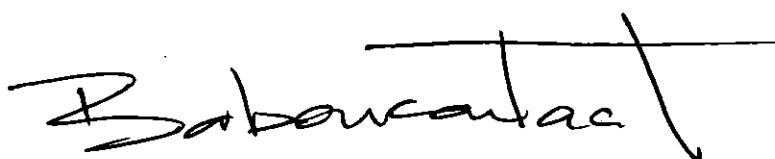
PRAYER FOR RELIEF

WHEREFORE, petitioner here ask the court to allow for the filing of the above referenced “SEAL” case in this district in light of the evidence of conflicts of interest, to simply afford both relator and the U S Federal Government, a free and fair chance, to review and decide to take over the case without the facts and particulars of the case being compromised.

- ii) For this motion to be sealed as well, for any dissemination equally disadvantages and interferes with the the workings of the United States government in it's requisite statutory 60 day quiet period.**
- iii)That the Relief sought be granted in the Interest of Justice and to grant all other relief this Honorable Court of Competent Equitable Jurisdiction deem **just fair and equitable**.**

Submitted by,

Dated Aug. 5, 2020



Baboucar B. Taal Petitioner/Relator

**UNITED STATES DISTRICT COURT *for the*
SOUTHERN DISTRICT OF NEW YORK**

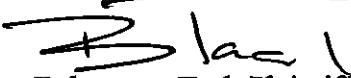
**Baboucar Taal, Plaintiff/Relator
59 Essex Road
Bedford, NH 03110**

Ruby J. Krajick, Clerk
United States District Court *for* Southern District of NY
500 Pearl Street
New York City, NY 10007-1312

Dear Mr Krajick

Please find plaintiff's [Seal] Motion address to the court, a "Miscellaneous Motion Seeking Ruling for Clerk to Accept..." and this found in the "self evident phrases" of in the "**Interest of Justice**" and "**equal in the eyes of the law without regards and impartial Justice**"

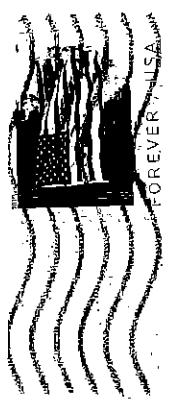
Sincerely yours,


Baboucar Taal, Plaintiff/Relator

Aug 5, 2020

Baboucar B. Taal,
% 59 Essex Road,
Bedford, NH 03110
603 471 9192

Cc:SDNY - USAttorney

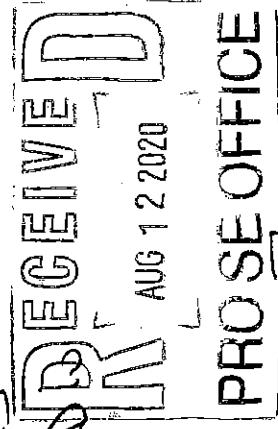


MANCHESTER, NH 030

08 AUGUST 2020 PM 31

Attn: Courtney DeCasseres

Clark's Office Tin
SDNY Court
500 Pearl St
New York, NY 10007



10007-31833

Pro Se Intake
KJ